

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DARRELL T. COKER, SR., et al.

Plaintiffs,

vs.

ROGER DOWD,

Defendant.

Case No. 2:13-cv-0994-JCM-NJK

ORDER

Pending before the Court is Plaintiffs' Motion to Enforce Settlement Agreement (Docket No. 36). In a hearing conducted on April 25, 2014, the Court ordered the parties to provide supplemental briefing regarding Plaintiffs' Motion to Enforce. Docket No. 45.

After reviewing the parties' submissions, the Court finds that an evidentiary hearing is appropriate at this stage of the proceedings. *See Callie v. Near*, 829 F.2d 888, 890 (9<sup>th</sup> Cir. 1987) ("Where material facts concerning the existence or terms of an agreement to settle are in dispute, the parties must be allowed an evidentiary hearing."). The terms and validity of Plaintiff's purported settlement agreement are clearly in dispute in this matter. Accordingly, the Court hereby **SETS** an evidentiary hearing on Plaintiffs' Motion to Enforce Settlement Agreement for May 27, 2014, at 11:00 a.m. in Courtroom 3D.

IT IS SO ORDERED.

DATED: May 19, 2014.

NANCY J. KOPPE  
United States Magistrate Judge